

VIA AN ELECTRONIC TOOL

Prague, 6th February 2024

PRELIMINARY MARKET CONSULTATION

within the meaning of Section 33 of Act no. 134/2016 Coll., Act of Public Procurement, as amended by later regulations (hereinafter referred to as „APP“)

TO THE PROCUREMENT

entitled

„The new line K1 in the area of SAKO Brno, a.s.“

IDENTIFICATION DATA OF THE CONTRACTING AUTHORITY:

SAKO Brno, a.s.

Identification number: 607 13 470

Registered office: Jedovnická 4247/2, Židenice, 628 00 Brno

1. **INTRODUCTORY PROVISIONS**

- 1.1. The company SAKO Brno, a.s.¹ is interested in the implementation of the project consisting of the construction of a third line – Line K1 in the area of the company SAKO Brno (hereinafter referred to as „Line K1” and „Project”). The addition of a third incineration line is related to increasing the reliability of the existing operation and providing a backup source in case of longer outages of the existing technology.
- 1.2. The company SAKO Brno is currently analyzing and evaluating two (2) basic options for the new Line K1, namely:
- i. implementation of a new line K1 in the scope and location of the original cancelled procurement procedure with partial technical modifications, which is not within the current scope of this preliminary market consultation;
 - ii. implementation of a new line K1 as a backup source, in place of the original already dismantled third incineration boiler K1.
- 1.3. The new Line K1 will be designed to use mixed municipal waste and selected industrial waste. Functionally, the new Line K1 will serve, like the existing K2 and K3 lines, to produce superheated steam, which is used for combined heat and power production.
- 1.4. The anticipated processing capacity of the new line K1 should be set in line with the existing lines to ensure full backup in the event of a failure or long-term outage of one of the existing lines. At the same time, the capacity should be set in accordance with the available technological space so that it is utilized to the maximum extent possible.
- 1.5. The new Line K1 will be designed for the same nominal superheated steam parameters as the existing lines, i.e. 40 bar, 400 °C. A more detailed description of the Project (especially the requirements for the new technology) as well as a description of the existing technology (including relevant operational data) is attached as Annex no. 1 to this call.
- 1.6. As mentioned above, the Contracting authority is considering, among other things, the option of implementing a new (backup) line K1, the construction of which would be the subject of a procurement procedure for a public works contract, which would also include design and engineering (hereinafter referred to as „Public contract”).
- 1.7. In order to obtain relevant information necessary for the correct setting of the award criteria, in particular the specification of the subject of the Public contract, the Contracting authority has decided to conduct a preliminary market consultation within the meaning of Section 33 of the APP (hereinafter referred to as „Preliminary market consultation”). The documents for this Preliminary market consultation will also be published on the [contracting authority profile](#).

The Contracting Authority hereby requests you to participate in the Preliminary market consultation and to submit the proposal specified below relevant to the subject of the Public contract on the basis of your expertise and experience.

- 1.8. The information obtained from the Preliminary market consultation will be used solely for the purpose of preparing the award criteria of the Public contract.
- 1.9. Participants of the Preliminary market consultation may be provided with information about the upcoming Public contract other than those listed below in the text and in the annexes of this call and at the same time relevant to the subject of the Preliminary market consultation. Participants may request this information at any time during the Preliminary market consultation, and should it be of a

¹ Identification number: 607 13 470, Registered office Jedovnická 4247/2, Židenice, 628 00 Brno (hereinafter referred to as „SAKO Brno” or „Contracting authority”).

sensitive nature, it will only be provided by the Contracting authority following the signing and sending of the confidentiality agreement attached as Annex no. 2 to this call. The Contracting authority expects that no later than the third round of the Preliminary market consultation sensitive information will be submitted to the participants and therefore no later than the third round of the Preliminary market consultation the participants will be required to submit to the Contracting authority a filled in and signed Annex no. 2 to this call.

2. **ON THE CONDUCT OF THE PRELIMINARY MARKET CONSULTATION**

- 2.1. Communication between the Contracting authority and the participants will be exclusively in writing, in electronic form via e-mail of the contact person or the Contracting authority's electronic tool. The contact person of the Contracting authority for the purposes of the Preliminary market consultation is Michaela Machálková, attorney CÍSAŘ, ČEŠKA, SMUTNÝ s.r.o., advokátní kancelář, e-mail: machalkova@akccs.cz.
- 2.2. The Preliminary market consultation is likely to be divided into three (or more) rounds. At the same time, the Contracting authority reserves the right to terminate the Preliminary market consultation at any time during its duration, including after or during the first round.
- 2.3. The Contracting authority informs the participants that it addresses selected suppliers within the Preliminary market consultation and invites them to participate in the Preliminary market consultation; at the same time, the Preliminary market consultation is freely available on the [contracting authority profile](#). The Contracting authority asks the suppliers to inform the Contracting authority no later than the term specified in article 2.5.2.1 of this call:
 - i. whether they will participate in the Preliminary market consultation and, if so, whether they intend to do so individually, as part of a consortium and/or using a subcontractor;
 - ii. what information and documents beyond the information and documents provided in this call and in accordance with the procedure set out in article 1.5 of this call will be required to participate in the Preliminary market consultation;
 - iii. how long they will need to process the proposal according to article 2.6.2 of this call;
 - iv. any questions and comments on the set-up of the Preliminary market consultation and the documents and information provided.
- 2.4. The Contracting authority's Preliminary market consultation rounds are described below:
- 2.5. **First round – Site inspection and proof of experience**
 - 2.5.1. As part of the first round of the Preliminary market consultation, the Contracting authority will conduct a site inspection during which the participants will become familiar with the basic parameters of the site and obtain sufficient information to be able to participate meaningfully in the second round of the Preliminary market consultation.
 - 2.5.2. **Proof of experience with the subject of the Public Contract**
 - 2.5.2.1. In order to participate in subsequent rounds of the Preliminary market consultation, the participant must provide proof of experience in the subject matter of the Preliminary market consultation (see Annex no. 3 to this call for a Template for List of significant services) **by 10:00 a.m. on 28 February 2024.**
 - 2.5.2.2. Participant shall submit a list of significant services provided in the last fifteen (15) years prior to the commencement of the Preliminary market consultation in accordance with article 2.5.2.1 of this call.

- 2.5.2.3. The list of significant services submitted must show that the participant in the Preliminary market consultation² has performed during the specified period:
- i. at least one (1) significant service provided in a member state of the European union, the subject of which was consultancy relating to the construction of a waste to energy facility (hereinafter referred to as „WtE“) with a capacity of at least 80,000 tonnes/year complying with the IED (2010/75/EU) and Best Available Techniques (BAT) for mixed municipal waste incineration, or
 - ii. at least one (1) significant service provided in a member state of the European union consisting of the preparation of a feasibility study, conceptual design or other similar techno-economic output and/or project documentation (hereinafter referred to as “project or conceptual documentation”), which was subsequently used as the basis or foundation for the permitting or construction of a WtE with a capacity of at least 80,000 tonnes/year complying with the IED Directive (2010/75/EU) and the Best Available Techniques (BAT) for mixed municipal waste incineration; or
 - iii. at least one (1) significant service rendered in a member state of the European union, the subject of which was the design³ and assembly/installation/construction of a steam boiler for the incineration of mixed municipal waste with a thermal input of at least 30 MW based on moving grate incineration technology.
- 2.5.2.4. The list of significant services shall always include, for each of the significant services: (i) the total value of the contract, (ii) the period of provision, (iii) identification of the client, (iv) a description of the subject matter of the contract to the extent necessary to demonstrate the criteria set out by the Contracting authority in this Preliminary market consultation, and (v) contact details of a specific person at the client who can confirm the proper provision of the significant services. The above applies even if the client was the Contracting authority.
- 2.5.2.5. In summary, the list submitted must demonstrably and unambiguously show that the requirements of the Contracting authority have been met (see Annex no. 3 to this call for a Template for List of significant services). The participant must fill in all the fields set out in the Template for List of significant services.
- 2.5.2.6. The Contracting authority states that it is entitled to contact the contact person indicated by the participant for the significant services (reference contracts) in order to verify the facts set out in the list of major services.
- 2.5.2.7. For clarification, the Contracting authority states that the participant is obliged to provide reference significant services that meet all the requirements set out above and were completed within the above time period (i.e. implementation could have started earlier). For the purpose of proof the required criteria, the Contracting authority will also accept contracts that were completed after the start of the Preliminary market consultation.

2.5.3. Site inspection

- 2.5.3.1. The site inspection will take place in the area of SAKO Brno at Jedovnická 4247/2, 628 00 Brno, with the meeting point for the participants of the Preliminary market Consultation being at the

² In this context, the Contracting authority notes that the participant in the Preliminary market consultation could also have performed the services in question as a subcontractor or as a member of an association.

³ For the purposes of the Preliminary market consultation, a design is understood to be the documentation of a comprehensive project solution – Basic Design. The documentation of a comprehensive project solution – Basic Design defines all equipment and construction objects and their placement in space, including the description of the technological process, design of the basic parameters of all technological equipment, scheme, essential components and devices, basic requirements for the construction part, layout of all buildings and all equipment, management philosophy, location of the construction in the chosen site, and description of the construction's impact on the surroundings.

gatehouse in the area. The site inspection will be organized by the Contracting authority on 19 February 2024 at 10:30 a.m. The specific time of the start of the site inspection will be confirmed to the participants (or specified) after registration (see below).

- 2.5.3.2. In order to participate in the site inspection, it is necessary to register at least three (3) working days before the date of the site inspection by sending a message via an electronic tool or by e-mail to machalkova@akccs.cz.
- 2.5.3.3. During the site inspection, a maximum number of three (3) people per participant is anticipated.
- 2.5.3.4. Following the site inspection, participants of the Preliminary market consultation will have the opportunity to submit additional questions to the Contracting authority within seven (7) days of its completion. The Contracting authority will then respond to these additional questions within three (3) working days of their receipt.

2.6. **Second round - Proposal of possible solutions**

2.6.1. The second round of the Preliminary market consultation will be initiated following the conclusion of the first round, i.e. after addressing the additional questions according to section 2.5.3.4. of this call.

2.6.2. During the second round of the Preliminary market consultation, those participants who submitted a list of significant services according to section 2.5.2. of this call will be invited to submit a proposal aimed at evaluating selected technical aspects for a new (backup) Line K1, which will be implemented alongside the existing incineration lines K2 and K3. This proposal must be fully compliant with the required emission limits and respect the boundaries and structural limitations of the existing technology (hereinafter referred to as the "Proposal").

2.6.3. The Proposal should particularly include answers to the following questions:

- I. Is it technically and technologically feasible to implement a new incineration Line K1, serving as a backup line for the existing lines K2 and K3, in the location (i.e., the existing building) of the original, now dismantled, third incineration boiler?
- II. If so, what is, in your opinion, the most suitable technical and technological solution for the implementation of the new (backup) Line K1? In this context, the Contracting authority mentions that minimizing investment costs under the condition of meeting current emission limits and Best Available Techniques (BAT) is a priority for them.
- III. In the table forming Annex No. 4 of this call, summarize the specific specifications of your Proposal as described in response to question No. 2, including particularly the following parameters:
 - a. estimated investment costs (in CZK/EUR excluding VAT),
 - b. estimated duration of engineering, permitting processes, and construction,
 - c. impact on existing operations (operational restrictions) and estimated duration of restrictions,
 - d. vertical/horizontal design,
 - e. expected height of the boiler hall (in meters) and anticipated scope of building modifications,
 - f. usage of the existing flue gas treatment system (YES x NO),
 - if both options are possible, provide relevant data for all required specifications that will vary between these options.

2.6.4. **The Proposal will be delivered to the Contracting authority in accordance with section 2.1. of this call by the term set by the Contracting authority. The Contracting authority will**

then evaluate the Proposals only of those participants who proof experience with the subject of the Public contract in accordance with section 2.5.2. of this call. The Contracting authority will not consider the Proposals of other participants.

2.7. Third round – Discussion on Proposals

2.7.1. Following the conclusion of the second round of the Preliminary market consultation, the Contracting authority will evaluate the submitted Proposals and conduct an internal review. After evaluating the submitted Proposals, the Contracting authority will proceed to the third round of the Preliminary market consultation. In this round, the Contracting authority will invite participants to discuss their submitted Proposals individually.

3. LIST OF APPENDICES

Appendix No. 1 - Basic Technical Information;

Appendix No. 2 - Non-disclosure agreement;

Appendix No. 3 - Template for the List of significant services;

Appendix No. 4 - Table for Proposal specifications.

I thank you in advance for your cooperation and best regards.

SAKO Brno, a.s.
represented by CÍSAŘ, ČEŠKA, SMUTNÝ s.r.o.,
advokátní kancelář

Michaela Machálková,
attorney
on the basis of a substitution power of attorney

i.s. Jaromír Císař, Ph.D.,
attorney, partner, executive director
on the basis of a power of attorney